

REMARKS

Claims 32, 34, 37-44, 46, 49-56, 58, 61-69, 73, 74, 78, 79, 83-90, and 93-97 are pending in the above-referenced application. In an Office Action mailed on September 7, 2006, Claims 32, 34, 37-39, 44, 46, 49-51, 56, 58, 61-69, 73, 74, 79, and 83 were rejected. Claims 40-43, 52-55, and 78 were objected to because they depend from rejected claims.

Regarding the claim for foreign priority, the Examiner acknowledges a foreign priority claim based on an application filed in Japan on September 9, 1999 (11-255024). The Examiner notes that applicant has not filed a certified copy of the Japanese application as required by 35 U.S.C. § 119(b) (Office Action, pp. 2-3). Applicant submitted a certified copy of the priority document during the International Phase. In support of this, Applicant included a copy of form PCT/IB/304 with the May 19, 2006, Amendment After Final. Applicant telephoned the USPTO PCT Help Desk, and was advised that the Examiner must contact a Special Programs Examiner at the Tech Center to obtain a copy of the foreign priority document. Therefore, Applicant believes it has fully complied with the requirement as set forth in MPEP § 1893.03(c), and that no further action is required.

In response to the Office Action, Claims 32, 44, 56, and 69 have been amended. Claims 98-106 have been added. In view of the foregoing amendment of claims, Applicant respectfully requests reconsideration and allowance of all claims pending in the application.

Claim Rejections Under 35 U.S.C. § 112

Claims 56, 58, 61-69, 73, 79, and 83 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In response, Applicant has amended Claims 56 and 69 in accordance with the Examiner's suggestion at page 3 of the Office Action. Applicant thanks the Examiner for assistance with these claims.

Claim Rejections Under 35 U.S.C. § 103

Claims 32, 34, 37-39, 44, 46, 49-51, 56, 58, 61-63, 66, 69, 74, and 79 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Berg et al. (WO 96/07432), in view of Chen et al. (U.S. Patent No. 5,445,608). Applicant maintains its position that the hypothetical combination of Berg et al. with Chen et al. fails to teach or suggest all of the claim limitations of the present invention. Nonetheless, Applicant has amended Claims 32, 44, and 56 in accordance with the Examiner's suggestion at page 6 of the Office Action. Applicant thanks the Examiner for assistance with these claims.

Claim Objections

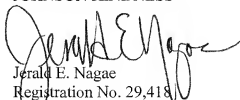
Claims 40-43, 52-55, and 78 were objected to because they depend from rejected claims. The Examiner indicated that these claims would be allowable if re-written in independent form comprising all of the limitations of the claims from which they depend (Office Action, p. 6). In response, Claims 40-43, 52-55, and 78 have been re-written, including all of the limitations of the claims from which they depend, as new independent Claims 98-106, respectively.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully submits that all pending claims are in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact Applicant's attorney at the number provided below.

Respectfully submitted,

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